

EXHIBIT “H”

1 IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY
2 COMMONWEALTH OF PENNSYLVANIA
3 CRIMINAL DIVISION

4 COMMONWEALTH OF PENNSYLVANIA)
5 CHRISTIE DEE HARR,) Case Nos.
6 Defendant.) CR-0205-2020
7) CR-1186-2020
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10 TRANSCRIPT OF PLEA & SENTENCING HEARING
11 BEFORE THE HONORABLE BRANDON P. NEUMAN
12 COURTROOM NO. 4
13 FRIDAY, SEPTEMBER 9, 2022
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15

16 APPEARANCES:

17 SAMUEL ZAPPALA, ESQ.
18 Assistant District Attorney
19 Representing the Commonwealth
20

21 PATRICK FITCH, ESQ.
22 Assistant Public Defender
23 Representing the Defendant
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25 Transcribed by:
26 Christine B. Mumper
27 Official Court Reporter
28
29

30 Transcript filed in the office of the Clerk of
31 Courts this _____ day of _____, 2022.
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1 P-R-O-C-E-E-D-I-N-G-S

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3 THE COURT: All right. We are on the
4 record. This is Commonwealth of Pennsylvania
5 versus Christie Dee Harr, this is case is at
6 No. CR-205-2020, and CR-1186-2020.

7 The Defendant is present in the
8 courtroom today, represented by Pat Fitch.
9 And Mr. Zappala is here on behalf of the
10 Commonwealth.

11 Ms. Harr, we're going to swear you in.
12 Please raise your right hand.

13 (The Defendant was duly sworn)

14 THE COURT: Okay. What is the nature
15 of the agreement?

16 MR. ZAPPALA: Thank you, your Honor.
17 I'm going to start with Docket No. 205-2020.

18 At that docket number, the
19 Commonwealth will be moving to amend Count 1,
20 of Aggravated Cruelty to Animals, 5534(a)(1),
21 a Felony of the 3rd Degree, the Commonwealth
22 will be moving to amend that to Neglect of
23 Animals, 5532(a)(1), a Misdemeanor of the
24 3rd Degree.

25 The Defendant will be pleading

1 No Contest to that Count 1. In exchange for
2 that, the Commonwealth will recommend a
3 sentence of one year of probation.

20 MR. FITCH: That is, your Honor, the
21 No Contest to the Washington County charges,
22 thank you very much.

23 THE COURT: I'm going to do a sidebar
24 for a second.

25 (Discussion off the record.)

1 THE COURT: We're at Case
2 Nos. 1186-2020 and 205-2020, Commonwealth of
3 Pennsylvania versus Christie Dee Harr.

4 So the only recommendation, after
5 reviewing the file, that I was making for me
6 to accept the plea is to run the cases
7 consecutive, rather than concurrent.

8 Are you guys in agreement with that or
9 not?

10 MR. ZAPPALA: Yes, your Honor.

11 MR. FITCH: Yes, your Honor.

12 THE COURT: Okay. Ms. Harr, we swore
13 you in.

14 Do you read, write and understand the
15 English language?

16 THE DEFENDANT: Yes.

17 THE COURT: Have you taken any drugs
18 or alcohol into your system in the last 48
19 hours?

20 THE DEFENDANT: No.

21 THE COURT: Do you take any
22 prescriptions or have any diagnoses that
23 would prevent you from a making a voluntary
24 decision?

25 THE DEFENDANT: No.

1 THE COURT: Did you read the guilty
2 plea colloquy, which would be -- the No
3 Contest colloquy is the same, but you're
4 pleading No Contest today, and the general
5 conditions of probation and parole?

6 THE DEFENDANT: Yes.

7 THE COURT: Do you have any questions
8 about any of the information in these
9 documents?

10 THE DEFENDANT: No.

11 THE COURT: Did anyone threaten you in
12 any way to enter into this agreement?

13 THE DEFENDANT: No.

14 THE COURT: Did anyone promise you
15 anything?

16 THE DEFENDANT: Just the agreement
17 that we --

18 THE COURT: Yes. So other than the
19 agreement, did anyone promise you anything
20 outside of the agreement that is on the
21 record?

22 THE DEFENDANT: No.

23 THE COURT: After communicating with
24 your attorney, are you entering into this
25 agreement independently?

1 THE DEFENDANT: Yes.

2 THE COURT: Okay. And do you
3 understand that you will not be able to
4 possess any animals, pets or otherwise?

5 THE DEFENDANT: Right.

18 MR. FITCH: We'll go with consecutive,
19 your Honor.

20 THE COURT: Is that your
21 understanding?

22 MR. FITCH: Yes.

1 Do you acknowledge on the record that
2 you are pleading No Contest based on some of
3 the information that the Commonwealth has?

4 THE DEFENDANT: Yes.

5 THE COURT: Okay. You have 10 days
6 from today file post-sentencing motions, and
7 you have 30 days from today to file an appeal
8 to the Pennsylvania Superior Court.

9 If you file post-sentencing motions,
10 your appeal period will not begin until final
11 disposition of those motions.

12 You have a right to an attorney to
13 assist you with the motions or appeal, and
14 you can appeal or file motions for four
15 reasons:

16 You can claim Washington County does
17 not have jurisdiction over you;

18 You can claim that the sentence
19 imposed today is illegal;

20 You can claim that you did not enter
21 this admission knowingly, intelligently and
22 voluntarily; and

23 You can claim your counsel did not
24 properly or effectively represent you.

25 You also have 10 days from today to

1 petition this Court with a request to
2 withdraw your plea, and I would take it under
3 consideration.

4 You have the right to have an attorney
5 to assist you with that, as well.

6 Do you have any questions about the
7 terms of the plea, or any of the information
8 I just provided to you?

9 THE DEFENDANT: No.

10 THE COURT: Anything else,
11 Mr. Zappala?

12 MR. ZAPPALA: No, your Honor.

13 THE COURT: Is there any restitution
14 in this case?

15 MR. ZAPPALA: No, your Honor.

16 THE COURT: And it is part of the
17 sentence not to possess any animals or have
18 contact with any animals or pets or anything
19 of that nature; correct?

20 MR. ZAPPALA: That is correct.

21 THE COURT: This Court finds that the
22 Defendant is entering this plea knowingly,
23 intelligently and voluntarily. I will accept
24 the plea as reflected on the record.

25 MR. FITCH: Your Honor, Ms. Harr has a

1 short statement she would like to say, if you
2 will.

3 THE COURT: Hold on. Okay.

4 So I'm going to rescind that I
5 accepted the plea and the sentence, because
6 you have the right to give me a statement
7 before I sentence you. So I'm rescinding
8 that I have accepted the final plea offer
9 until you give me that statement.

10 MR. FITCH: Okay.

11 THE COURT: You may proceed.

12 THE DEFENDANT: I'm pleading No
13 Contest or Nolo Contendre to two counts of
14 Misdemeanor Level 3 Animal Neglect, regarding
15 the charges in Washington County, for the
16 conditions cited at 320 Second Street,
17 Donora, Pennsylvania, 15033, Washington
18 County.

19 To be clear, I am not admitting guilt
20 of any crime, but rather, if this case went
21 to trial, they could possibly convince a jury
22 that the animals in question were neglected.

23 At no point did I ever harm or intend
24 to harm any of the animals in my care.

25 However, due to the damage both to the

1 residence and the rescue by a tornado in
2 August of 2016, and the inability to raise
3 the necessary funds for the repairs, the
4 condition of the property was less than
5 favorable.

6 I do want it noted that I was in the
7 middle of moving the animals to a new, safe
8 location, and had 75 percent of them already
9 moved, when the search and seizure was
10 conducted. So I was, indeed, doing my very
11 best to remedy this situation.

12 And I would also just like to note
13 that I was told that all my property would be
14 returned; however, we have yet to receive an
15 itemized statement for the items taken from
16 the church.

17 THE COURT: Okay.

18 MR. FITCH: Thank you, your Honor.

19 THE COURT: I will accept the plea as
20 reflected on the record. And you are to
21 report over to the Adult Probation Office
22 today to get signed up. There will be costs
23 of prosecution associated with this case, and
24 you can make a payment plan to satisfy the
25 costs of prosecution.

1 Thank you.

2 MR. FITCH: Thank you.

3 MR. ZAPPALA: Thank you, your Honor.

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5 (Thereupon, at 11:30 a.m., the hearing
6 was concluded.)

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1 CERTIFICATE

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3 I hereby certify that the proceedings and
4 evidence are contained fully and accurately in the
5 stenographic notes taken by me of the hearing of
6 the above-cause, and that this is a correct
7 transcript of the same.

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10 /s/ Christine B. Mumper
11 Christine B. Mumper, Court Reporter

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14 The foregoing record of the hearing of
15 the above-cause is hereby directed to be filed.

16

17 /s/ Brandon P. Neuman, J.
BRANDON P. NEUMAN, JUDGE

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